

CS 301/22

**ZAHIDA KHAN AND ORS - SENIOR CITIZEN Vs. VIKAR
ALI AND ORS**

26.08.2023

Present: Sh. Sunil Lalwani and Sh. S. S. Khan, Id. Counsels
for plaintiff.
Sh. Aman Sharma, Id. Counsel for defendant no. 1 to
7.
Sh Mahesh Saxena, Id. Counsel for defendant no. 8.

Application u/o 7 rule 11 CPC has been filed by the
defendant.

It is submitted by counsel for plaintiff that the
plaintiff does not wish to file any reply to the said application
and said application be dismissed with cost.

Heard.

In the present application, the only objection taken
by the defendant is that no duplicate copy of the plaint has been
annexed in the suit. However, perusal of file shows that the
plaintiff has filed duplicate copy of plaint alongwith documents
on record.

Accordingly, present application is not maintainable
and is thus dismissed. For filing this frivolous application, a cost
of Rs.2,500/- is imposed upon the defendant and same be
deposited by the defendant with DLSA.

Replication by plaintiff to WS of defendant no. 1 to
7 filed. Copy supplied.

It is submitted by counsel for plaintiff that they do
not wish to file any replication to the WS of defendant no. 8.

Rejoinder of the reply filed by defendant no. 1 to 7 to the application u/o 39 rule 1 and 2 CPC filed. Copy supplied.

CD has also been filed alongwith application. Let copy of the same supplied to the opposite party.

List for arguments on application u/o 39 rule 1 and 2 CPC, A/D of documents and framing of issues on 16.12.2023. A/D of documents be filed in the form of affidavit by both the parties.

(Arun Goel)
ADJ-03, Shahdara
KKD Courts, Delhi
26.08.2023